

Application No. 09/723,228

REMARKS

Claims 1 – 31 are pending. By this Amendment, claims 4, 5, 9, 14, 15, 19, 20, 28, and 31 are canceled, claims 1, 6, 10 – 12, 16 – 18, 21 – 27, 29, and 30 are amended, and new claims 32 and 33 are added. After entry of this Amendment, claims 1 – 3, 6 – 8, 10 – 13, 16 – 18, 21 – 27, 29, 30, 32, and 33 will be pending.

Claim 31 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. Claims 5 – 7, 9, 14, and 29 were rejected under 35 U.S.C. § 102(e) as being anticipated by Feezell et al. in U.S. Patent No. 6,253,189. Claims 1-4, 8, 10 – 13, 20 – 28, 30, and 31 were rejected under 35 U.S.C. 103(a) as being unpatentable over Feezell et al. in view of Benson in U.S. Patent No. 6,470,079. Claims 15 – 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Feezell et al. and Benson in view of Namany et al. in U.S. Patent No. 6,254,478.

Claims 4, 5, 9, 14, 15, 19, 20, 28, and 31 have been canceled without prejudice.

Claim 1 has been amended to claim a “method of selling a right of indicating an advertisement on an article associated with a contestant participating in a contest through a computer network, wherein the contest is to be broadcast through the computer network,” in cooperation with the other claimed steps. Claim 29 has been amended to claim a “server computer for selling a right of indicating an advertisement on an article associated with a contestant participating in a contest through a computer network,” in cooperation with the other claimed elements.

Now amended claims 1 and 29 and new claims 32 and 33 are supported by FIGS. 9 and 10. More specifically, page 15, lines 10 – 19, of the specification, discloses that a potential buyer operates his terminal computer to designate a display size of an advertisement (a logo mark 8) on an article (a flag 6, trunks 5, or an ornamental apron 7). Refer also to FIG. 3. It is

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described on page 16, lines 4 – 5, that the potential buyer operates the terminal computer to designate a display position of the advertisement on the article. As described on page 16, lines 10 – 17, the advertising rate (the selling price of a right for indicating the advertisement) relates to the display position and the display size of the advertisement.

FIG. 10 shows at step S100 that the potential buyer changes the display size and the display position of the advertisement by operating his terminal computer when the selling price is unacceptable. For example, if the potential buyer wishes to lower the selling price, he may reduce the display size of the advertisement or change the display position of the advertisement to a less noticeable position. Because both the display size and the display position of the advertisement are changeable, the selling price has a relatively wide range. According to the present invention, the potential buyer can arrange his advertisement having a reasonable price on an article by operating his terminal computer.

The cited references neither teach nor suggest a page for designating a display position and a display size of an advertisement on an article on a terminal computer of a potential buyer, or displaying an image that shows the display position and the display size of the advertisement designated by the potential buyer on the terminal computer, as claimed in now amended claims 1 and 29.

Therefore, claims 1 and 29 are believed to be in condition for allowance. Claims 2, 3, 6 – 8, 10 – 13, 16 – 18, 21 – 27, 29, 30, 32, and 33 depend from claims 1 and 29 and are allowable at least for the reasons above.

In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested.

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The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,



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